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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Intent To Rule on Application (99-01-C-00-PKB) to Impose and Use a Passenger Facility Charge (PFC) at Wood County Airport in Parkersburg, West Virginia

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of intent to rule on application.

**SUMMARY:** The FAA proposes to rule and invites public comment on the application to impose and use a PFC at Wood County Airport in Parkersburg, West Virginia, under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

**DATES:** Comments must be received on or before January 13, 1999.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Mr. Elonza Turner, Project Manager, Beckley Airports Field Office, 176 Airport Circle, Rm. 101, Beaver, WV 25813-9350.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Ms. Carolyn Strock, airport manager for the Wood County Airport Authority at the following address: P.O. Box 4089, Parkersburg, WV 26104-0089.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the Wood County Airport Authority under section 158.23 of Part 158.

**FOR FURTHER INFORMATION CONTACT:** Mr. Elonza Turner, Project Manager, Beckley Airports Field Office, 176 Airports Circle, Beaver, West Virginia, 25813 (Tel. (304) 252-6216). The application may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the application to impose and use a PFC at Wood County Airport under the provisions of the Aviation

Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

On November 23, 1998, the FAA determined that the application to impose and use a PFC submitted by the Wood County Airport Authority was substantially complete within the requirements of section 158.25 of Part 158. The FAA will approve or disapprove the application, in whole or in part, no later than February 20, 1999.

The following is a brief overview of the application.

*Application number:* 99-01-C-00-PKB.

*Level of the proposed PFC:* \$3.00.

*Proposed charge effective date:* May 1, 1999.

*Proposed change expiration date:* December 1, 2002.

*Total estimated PFC revenue:* \$305,491.

*Brief description of proposed projects:*

- Rehabilitate Taxiway (H)
- Rehabilitate Runway (3-21)
- Rehabilitate Runway (10-28)

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: Under FAR Part 135—Charter Operators for hire to the general public and Unscheduled Part 121 Charter Operators for hire to the general public.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA regional Airports office located at: Fitzgerald Federal Building, #111, John F. Kennedy International Airport, Jamaica, New York, 11430.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Wood County Airport Authority.

**Thomas Felix,**

*Manager, Planning & Programming Branch, AEA-610, Eastern Region.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### Prevention of Prohibited Drug Use in Transit Operations; Prevention of Alcohol Misuse in Transit Operations

**AGENCY:** Federal Transit Administration, DOT.

**ACTION:** Notice of random drug and alcohol testing rate.

**SUMMARY:** This notice announces the random testing rates for employers

subject to the Federal Transit Administration's (FTA) drug and alcohol rules.

**EFFECTIVE DATE:** January 1, 1999.

**FOR FURTHER INFORMATION:** Judy Meade, Director of the Office of Safety and Security (202) 366-2896 (telephone) and (202) 366-7951 (fax). Electronic access to this and other documents concerning FTA's drug and alcohol testing rules may be obtained through FTA's Transit Safety and Security Bulletin Board at 1-800-231-2061 or through the FTA World Wide Web home page at <http://www.fta.dot.gov>; both services are available seven days a week.

**SUPPLEMENTARY INFORMATION:** The Federal Transit Administration (FTA) required large transit employers to begin drug and alcohol testing "safety-sensitive" employees on January 1, 1995, and to report, annually by March 15 of each year beginning in 1996, the number of "safety-sensitive" employees who had a verified positive for the use of prohibited drugs, and the number of safety-sensitive employees who tested positive for the misuse of alcohol. Small employers started testing their "safety-sensitive" employees on January 1, 1996, and began reporting the same information as the large employers beginning on March 15, 1997. Employers are required annually to submit other data, not relevant here, in the same report; these data are available from the FTA as discussed below.

The rules established a random testing rate for prohibited drugs and the misuse of alcohol; specifically, the rules require that employers conduct random drug tests at a rate equivalent to at least 50 percent of their total number of safety-sensitive employees for prohibited drug use and at least 25 percent for the misuse of alcohol. The rules provide that the drug random testing rate may be lowered to 25 percent if the "positive rate" for the entire transit industry is less than one percent for two consecutive years. Once lowered, it may be raised to 50 percent if the positive rate equals or exceeds one percent for any one year. ("Positive rate" means the number of positive results for random drug tests conducted under part 653 plus the number of refusals of random tests required by part 653, divided by the total number of random drug tests, plus the number of refusals of random tests required by part 653.)

Likewise, the alcohol rule provides that the random rate may be lowered to 10 percent if the "violation rate" for the entire transit industry is less than .5 percent for two consecutive years. It will remain at 25 percent if the